

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION No.29 OF 2021

NARENDRA PANDURANG
HALDANKAR

..... **Petitioner**

Versus

STATE OF GOA, THR. CHIEF
SECRETARY AND 3 ORS.

..... **Respondents**

Mr. Somnath B. Karpe, Advocate for the Petitioner.

Mr. Devidas J. Pangam, Advocate General with Mr. P. Arolkar,
Additional Government Advocate for the Respondents No. 1 and 2.

Mr. Y. V. Nadkarni, Advocate for the Respondent No. 4.

**Coram:- M.S. SONAK &
BHARATI H. DANGRE, JJ.**

Date : 27th January, 2021.

P.C.:

Heard Mr. Somnath B. Karpe, learned counsel for the petitioner, Mr. Devidas J. Pangam, learned Advocate General with Mr. P. Arolkar, Additional Government Advocate for the respondents No. 1 and 2 and Mr. Y. V. Nadkarni, learned counsel for the respondent No. 4.

2. Mr. Karpe, learned counsel submits that the petitioner will be satisfied if directions are issued to the Comunidade of Serula

and the Administrator of Comunidade, North Zone, Mapusa, to dispose of, in accordance with law, the petitioner's representation dated 28.03.2018 which is found at Annexure'L' page 92 of the paperbook.

3. Without going into merits as to whether the petitioner is entitled to any relief as claimed by him in his representation dated 28.03.2018, we direct the Comunidade of Serula in the first instance, to dispose of the petitioner's representation within a period of 3 months from today. Such disposal will have to be on its own merits and in accordance with law. We clarify that this order of ours should not be construed as some direction to grant relief to the petitioner. Ultimately, it is for the Comunidade to consider whether the relief claimed is available in law and only thereafter process the representation.

4. If the Comunidade ultimately finds favour with the petitioner, then, the Comunidade will have to forward the petitioner's representation alongwith its comments to the Administrator. The Administrator to also dispose of the representation, again, in accordance with law and on its own merits as expeditiously as possible and, in any case, within a period of 3 months from the date of its receipt from the Comunidade.

5. We make it clear that we have not gone into the issue as to whether the petitioner is entitled for any alternate plot or not. These are matters for the Comunidade and the Administrator to ultimately decide.

6. The petition is disposed of with the aforesaid directions.

7. There shall be no order as to costs.

BHARATI H. DANGRE, J.

M. S. SONAK, J.

msr.